

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

IN RE:

IN PROCEEDINGS FOR PLAN
UNDER CHAPTER 13

VINITA MARIE MORRIS

CASE NO.: 05-44425-2-13

TRUSTEE'S MOTION TO AMEND PLAN THAT VIOLATES SECTION 1325(b)

Comes now Richard V. Fink, Trustee and moves to amend the debtor's plan and in support thereof states:

Based on the filed and allowed claims, the confirmed plan in this case would run for less than thirty-six months of plan payments. The plan violates Section 1325(b). By making this a BASE plan, with the base set for thirty-six months of plan payments, the plan would comply with Section 1325(b).

Based on the foregoing, the trustee recommends that the plan be amended pursuant to 11 U.S.C. 1329(a).

Respectfully submitted,

/s/ Richard V. Fink, Trustee

Dated: August 16, 2006

Richard V. Fink, Trustee
818 Grand Blvd., Ste. 800
Kansas City, MO 64106-1901

NOTICE OF MOTION

IF YOU AGREE WITH THE TRUSTEE'S MOTION TO AMEND PLAN, PLEASE DO NOT FILE A RESPONSE TO THE MOTION OR AN AMENDED PLAN TO REFLECT THE SAME TREATMENT

Any response to the motion must be filed within twenty (20) days of the date of this notice with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. If debtor's counsel is not registered for electronic filing, you must serve the response by mail. If a response is timely filed, the Court will either rule the matter based on the pleadings, or set the matter for a hearing. If a hearing is to be held, notice of such hearing will be sent to all parties in interest. **If no response is filed within twenty (20) days, the Court will enter an Order confirming the amended plan.** For information about electronic filing go to www.mow.uscourts.gov. If you have questions about this document, contact your attorney.

NOTICE OF SERVICE

Appropriate parties will be served by the Chapter 13 Trustee's Office either electronically or by mail.

TRACY L ROBINSON ESQ

(#000091)

/s/ Richard V. Fink, Trustee

